

REMARKS

In accordance with the foregoing, claims 1, 8, 10, 13, 16, and 27 have been amended, and claims 3-7, 12, 14, 15, 17-21 and 24-26 are cancelled, and claim 9 is withdrawn, but remains pending. Claims 1, 2, 8, 10, 11, 13, 16, and 27 are pending and under consideration.

Claim 9 depends from claim 8 and is subject to reinstatement if claim 8 is ultimately found to be allowable.

Page 2: Rejection of Claims 1, 13, 16, and 27 for Anticipation Under 35 U.S.C. 102 (b) by Burkett et al. (USP 5,233,323)

The rejection is respectfully traversed.

In accordance with the foregoing amendments, each of the independent claims recites a structural feature of external terminals protruding from end parts of an insulating base. Burkett does not disclose such a structure.

Furthermore, each of the independent claims now recites the presence of a cover provided on the base. Burkett does not have any such cover.

Furthermore, each of the independent claims recites that the lead pieces are in an open state, or position, before a magnetic field is applied thereto - - and thus is a non-activated state. By contrast, Burkett at column 5, line 58 discloses that the switches may be in a closed position during a non-activated state.

Accordingly, it is respectfully submitted that Burkett lacks any disclosure of significant limitations of each of the independent claims and, hence, that the anticipation rejection should be withdrawn.

Moreover, it is submitted that Burkett, taken alone, does not suggest much less render obvious the foregoing features of the claim recitations.

Page 3: Rejections of Claims 2 and 10-11 for Obviousness Over Burkett et al. in view of Posey (USP 5,293,523)

The rejection is respectfully traversed.

The opening, two-line paragraph of this rejection asserts that Burkett et al. disclose "the instant claimed invention except for the switch parts including pole pieces provided on the reeds and a housing covering the reed assembly." (Action at page 3.)

It has been shown in the foregoing that Burkett lacks any disclosure or suggestion of

significant recitations of the pending claims.

It is further submitted that Posey fails to overcome the deficiencies of Burkett.

As for claim 8, the Examiner states that Hara disclose a reed switch having differing thicknesses. It should be noted that claim 8 relates to an embodiment in which the thickness of the connecting member is different from the thickness of the terminal member. Also, Hara does not disclose that a connection member and terminal members are embedded in a mold base. Therefore, claim 8 cannot be obtained from, and is not suggested or rendered obvious by, the proposed combination of Burkett and Hara.

Furthermore, no *prima facie* showing of obviousness of the combination of the two references has been provided; at most, the bare contention of "it would have been obviousness..." (etc.) is advanced, which is clearly inadequate. See, MPEP 2142 - 2143.03. Clearly, no suggestion or motivation to modify either reference in light of the other is cited in the Action much less is any found in either reference (MPEP 2144.01).

Conclusion

In accordance with the foregoing, it is respectfully submitted that the pending claims distinguish patentably over the art of record and, there being no other objections or rejections, that the application is in condition for allowance, which action is earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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